

Sec. 35-511. Landscaping.

STATEMENT OF PURPOSE

In addition to the purposes recited generally for this division, the purpose of this section is:

- *To improve the appearance of commercial properties when viewed from the street.*
- *To screen the unattractive aspects of commercial properties.*

(a) **Applicability.**

- (1) **Generally.** This section shall apply to any of the following, except where exempted pursuant to subsection (2), below:
 - A. The construction or erection of any new occupiable building or structure for which a building permit is required.
 - B. Any enlargement exceeding one thousand (1,000) square feet or ten (10) percent in area, whichever is greater, of the exterior dimensions of an existing building for which a building permit is required.
 - C. Any construction of a new parking lot regardless of size.
 - D. Expansion of an existing parking lot within the street yard by more than two thousand (2,000) square feet or ten (10) percent in area whichever is greater. Parking lots in residential zoning districts shall be subject to the requirements of subsection (e) of this section.
- (2) **Expansion.** When a building or parking lot is enlarged, the requirements of this section shall be applied incrementally such that landscaping shall be required in the same proportion that the enlarged building area or off street parking area has to the existing development. For example, a ten (10) percent increase requires ten (10) percent of the required landscaping.
- (3) **Exemptions.** This section shall not apply to the following situations:
 - A. Single-family, duplex, triplex or four-plex residential uses located within a residential zoning district.
 - B. Agricultural uses.
 - C. The reconstruction of an existing building of which fifty (50) percent or less of the floor area was destroyed or ruined by flooding, fire, windstorm or act of God. This exemption shall apply only where reconstruction of that building will not result in an increase in building size or paving area of the parking facilities to be provided.
 - E. Interior finish work or remodeling in a portion of a building unless the work results in an increase in the paving area of the parking facilities within the street yard or in an enlargement of the exterior dimensions of an existing building.
 - F. Any use, building or structure for which only a change of use is requested, and which requires no structural modifications that would increase its volume or scale.
 - G. Single-family dwellings.
 - H. Non-occupiable buildings or buildings that provide only maintenance access to the interior of the structure such as ice and/or water vending machines, DVD kiosks and automated teller machines.

- I. Accessory structures less than two hundred (200) square feet in size such as decks, sheds, playhouses, gazebos, security guard huts and non-mobile food vending stands.
 - J. Non-occupiable buildings or structures regardless of size that serve a utility or infrastructure purpose such as flagpoles, retaining walls, above-ground backflow preventers, sign monuments and sign support structures, cellular and communication equipment and utility systems.
- (4) **Buildings Within Street Yard of Another Building.** A building located within the street yard of another building shall be considered as a separate building site unless it has previously been included within an approved landscape plan.
- (b) **Landscape Plan.** Activities subject to this section which exceed four thousand three hundred (4,300) square feet of impervious surface shall include landscape materials installed in conformance with the approved landscape plan bearing the seal of a registered landscape architect. If all landscape buffer, landscape and tree preservation requirements have been met by the utilization of existing trees and vegetation, the seal of a registered landscape architect is not required.
- (c) **Mandatory Criteria.**
- (1) **Screening.** Off-street loading spaces, refuse and outdoor storage areas, antennas, satellite dishes, and mechanical equipment within the street yard shall be screened from all public streets. The screening shall be a minimum of six (6) feet in height or a height sufficient to obscure the area or equipment requiring the screening, whichever is less. The screening may be provided by plants, a solid screen fence or wall, or a combination thereof. The height of plants shall be based on reaching their size at maturity within five (5) growing seasons.
 - (2) **Acceptable Landscape Materials.**
 - A. No artificial plant materials shall be used to satisfy the requirements of this section.
 - B. Plant materials required by this section shall comply with the minimum size requirements of Table 511-1 at the time of installation. Plant height shall be measured from the average grade level of the immediate planting area to the top horizontal plane of the shrub at planting, for single trunk trees, the measurement shall be taken at six (6) inches above grade level, and for multi-trunk trees, the tree shall be measured from the average grade level of the immediate planting area.
 - C. Planting areas shall consist of permeable surface areas only. The permeable surface areas for shrubs may be included within permeable surface areas required for trees.
 - D. In satisfying the requirements of this section, the use of four (4) inches of organic mulch material shall be provided at the time of planting.
 - E. Each large tree, small tree or large shrub shall be planted at least thirty (30) inches from the edge of any paved surface.

Table 511-1

	Minimum Caliper at the Time of Planting	Minimum Height at the Time of Planting	Minimum Planting Area
Trees	1½ inches for single trunk trees	Not applicable unless multi-trunk trees, in which case the tree shall be a minimum of six (6)	One hundred (100) square feet

		feet in height at the time of planting	
Small trees	1½ inches for single trunk trees	Six (6) feet for multi-trunk trees	Twenty-five (25) square feet
Large shrubs	Not applicable	Two (2) feet	Nine (9) square feet
Small to medium shrubs	Not applicable	One (1) foot	Eight (8) square feet

- (3) **Protection of Plant Areas.** Plant areas must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers.
- (4) **General Maintenance.** Required plants shall be maintained in a healthy condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pest prevention, pruning, and other maintenance of all plantings as needed. Any plant that dies shall be replaced with another living plant that is comparable to the existing plant materials or plant materials specified in the approved landscape plan within ninety (90) days after notification by the city. The director of planning and development services may extend this time period up to an additional ninety (90) days due to weather considerations. If the plants have not been replaced after appropriate notification and/or extension, the property owner, or his designee or lessee, shall be in violation of this chapter.
- (5) **Utility Lines.** Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs plants within a utility easement, it shall make every reasonable effort to preserve the plants and return them to their prior locations after the utility work. However, if some plants die, it shall be the obligation of the property owner to replace them.
- (6) **Irrigation.** Landscaped areas shall be irrigated with a system that is suitable for the type of plantings installed. An irrigation system will be required on projects when any one (1) of the following are used to meet the requirements of this chapter:
 - A. An area greater than two thousand (2,000) square feet of new landscape; or
 - B. More than ten (10) trees will be installed; or
 - C. Projects which exceed four thousand three hundred (4,300) square feet of impervious surface.

If an irrigation system is not required as above, a hose bib must be installed within one hundred (100) feet of the newly installed plant material. No irrigation is required for turf areas. Where an irrigation system is required, the irrigation system shall comply with the requirements of 30 TAC Chapter 344, §§ 344.72—344.77. An in ground irrigation system consisting of water lines, water emitters and a controller is required to have a separate water service if the San Antonio Water System is the purveyor. In addition to the above irrigation requirements the following is required:

- A. Design requirements:
 1. Pressure.
 - i. System to be designed to the lowest static pressure available

- in an annual twelve-month period.
- ii. If static pressure exceeds design pressure by fifteen (15) PSI or more in any zone a flow control device shall be installed.
- iii. Pressure at any point within a zone shall not vary by more than ten (10) percent from the design sprinkler operating pressure.
- 2. Provide separate zones for:
 - i. Turf.
 - ii. Plants with dissimilar water requirements.
 - iii. Areas with greater or lesser sun exposures.
 - iv. Slopes from flat/level areas (topographic information is required for zoning for slope and flat/level area design).
- 3. Sprinkler head spacing.
 - i. Head spacing shall not exceed fifty (50) percent of diameter.
 - ii. Spacing shall make allowance for local wind conditions.
 - iii. Trim perimeters with correct arc and radii selection to eliminate water thrown onto non-landscaped areas.
 - iv. Show radius/diameter and arc of coverage of a representative number of each type of sprinkler head.
- 4. Landscape water schedule - produce a water schedule for the landscape at a minimum of eighty (80) percent ET (evapotranspiration) as determined by the local ET.

B. Equipment.

- 1. Controller requirements.
 - i. On/off rain switch or other rain shut off device that does not alter program.
 - ii. Multiple programming capacity.
 - iii. Controllers capable of a minimum of three (3) cycles per program.
- 2. Valves: Flow control devices on all remote control valves (including a master control valve).
- 3. Sprinklers.
 - i. Use of low-angle heads is encouraged.
 - ii. Pop-up sprinklers and shrub risers will be at a height to clear turf, trees, shrubs, other planting and objects such as fences allowing no obstruction of spray pattern.
 - iii. Pop-up type shrub risers should be used in areas where pedestrians/auto traffic may occur. Drip irrigation should be used in areas between the curb and sidewalk and parking lot areas where over spray onto pavement may occur in accordance with manufacturer's recommendations.
 - iv. Low head drainage is to be eliminated or minimized through design or by use of check valves.
 - v. Sprinkler heads shall be attached to rigid lateral lines with flexible material, swing joints to reduce potential for breakage.
- 4.

Any device on a pressurized line (such as a quick-coupler valve) should be preceded by some sort of isolation valve separate from the primary shut-off valve.

(7) **Parking Lot Shading.**

A. **Applicability.** Shading shall be required for parking lots subject to this section that are located within the project area, and any parking areas (excluding driveways or garages) in residential districts. Canopy trees, as defined in Appendix "A," shall be provided to shade a minimum of twenty-five (25) percent of a parking lot. Medium or large trees may be used. A "parking lot" does not include an area used exclusively for the display of motor vehicles for sale as part of an automobile dealership.

B. **Calculation of Shaded Area.** Existing trees preserved on a site within twelve (12) feet of any edge of a parking lot or in an island or peninsula not less than nine (9) feet by eighteen (18) feet shall be calculated at one hundred (100) percent of the shade coverage shown in Appendix "E," under "shade area."

Newly planted trees planted in an island or peninsula not less than nine (9) feet by eighteen (18) feet shall be calculated at seventy-five (75) percent of the shade coverage shown in Appendix "E," under "shade area."

Newly planted trees planted adjacent to a parking lot within twelve (12) feet of any edge of a parking lot shall be calculated at fifty (50) percent of the shade coverage shown in Appendix "E," under "shade area." An example calculation is as shown:

The parking area is ten thousand (10,000) square feet; therefore two thousand five hundred (2,500) square feet of shade is required. If Cedar elm trees are used at a value of eight hundred seventy-five (875) square feet of shade per tree, 2.9 or three (3) trees are required to be planted.

C. **Design.** Trees shall be planted within an island not less than nine (9) feet wide by eighteen (18) feet deep.

(d) **Artificial Lots.**

(1) If a building site is over two (2) acres in size, the applicant may request that the director of planning and development services designate an artificial lot to satisfy the requirements of this article. If requested, the director of planning and development services shall designate an artificial lot consistent with the purposes and requirements of this article and in accordance with the criteria below.

(2) An artificial lot may be designated by the director of planning and development services if it:

A. Wholly includes the area on which the construction work is to be done;

B. Does not exceed seventy-five (75) percent of the area of the building site; and

C. Depicts and includes all proposed and existing buildings and structures, access drives, appurtenant parking required for the building expansion or new building construction, and other areas functionally appurtenant to the buildings or structures.

(e) **Elective Criteria.**

(1) **Generally.** In addition to the mandatory requirements, landscape plans shall earn a minimum of seventy (70) points awarded for elective requirements. As an

exception to this requirement, landscape plans for commercial projects which do not include off-street parking within the street yard shall earn a minimum of twenty-five (25) points and those in a designated "gateway corridor " adopted pursuant to [section 35-339.01](#) shall earn eighty-five (85) points.

- (2) **Tree Preservation.** A maximum of forty (40) points shall be awarded for the preservation of existing healthy trees. Full credit in accordance with the criteria listed below shall be earned for the preservation of trees within the street yard up to thirty (30) points. Half credit may be earned for preserving trees within the street yard above thirty (30) points. Half credit may also be earned for preserving trees outside the street yard up to a maximum of fifteen (15) points. These points shall be included within the maximum forty (40) points permitted by this elective. Points shall be tabulated for each tree retained in accordance with the following criteria:

Description	Points Awarded
*DBH equal to or exceeding 4, but less than 6 inches	3
*DBH equal to or exceeding 6, but less than 12 inches	4
*DBH equal to or exceeding 12, but less than 18 inches	6
*DBH equal to or exceeding 18 inches	8

* DBH - Diameter at breast height at 4.5 feet aboveground.

Where credit for the preservation of existing trees is being requested, these areas shall be protected as follows.

- A. A protective barrier, beginning at the outside of the drip line of the tree, to protect the root protection zone shall be erected and maintained until construction is completed.
 - B. During construction, no excess soil, additional fill, equipment, liquids, or construction debris shall be placed inside the protective barrier, upon the root protection zone, nor shall any soil be removed from within the barrier.
 - C. The proposed finished grade and elevation of land within the root protection zone of any tree to be preserved shall not be raised or lowered more than two (2) inches. Welling and retaining methods are allowed outside the root protection zone and shall be done in conformance with the Texas A & M University, Extension Landscape Horticulture, "Protecting Existing Landscape Trees from Construction Damage Due to Grade Changes," Everett E. Janne and Douglas F. Welch, PhD., authors.
 - D. The root protection zone for each preserved tree shall remain unpaved and shall have a two- to four-inch layer of mulch installed to help retain moisture and to prevent erosion.
- (3) **Screening of Surface Parking.** Twenty-five (25) points are awarded for screening a surface parking lot within the street yard in accordance with the following subsections.
- A. The screening must extend along the entire street frontage of the surface parking lot, exclusive of driveways.
 - B. The screening must be at least thirty (30) inches in height. If plants are used, they must achieve the minimum height and form an opaque visual barrier at maturity. If non-living materials are used to satisfy the screening

requirement, plants must be provided along a minimum of twenty-five (25) percent of the screen's frontage.

- C. Any screening placed in a clear vision area must comply with the restrictions contained in section 35-506 of this chapter.

- (4) **Parking Lot Shading.** Twenty (20) points are awarded for compliance with subsection (c)(7), above. Further, an additional:
 - A. Five (5) points are awarded when surface parking lots include canopy trees, as defined in Appendix "A," which shade a minimum of thirty-five (35) percent of any individual parking lot; and
 - B. Fifteen (15) points are awarded when surface parking lots include canopy trees, as defined in Appendix "A," which shade a minimum of fifty (50) percent of any individual parking lot.
- (5) **Street Trees.** Twenty-five (25) points are awarded for the installation of large trees that meet the following requirements:
 - A. The trees extend along a minimum of seventy-five (75) percent of the total frontage of the street yard of the parcel;
 - B. The trees shall be spaced on average no more than fifty (50) feet apart measured from trunk to trunk provided the distance between trees does not exceed one hundred (100) feet; and
 - C. The trees shall be located no more than seventeen (17) feet from the street right-of-way line.
- (6) **Understory Preservation.** Fifteen (15) additional points can be earned for preservation of existing vegetation adjacent to parking lots or by planting new vegetation utilizing a mixture of canopy trees with understory trees (small species) and large to small shrubs with ground plane perennials. Minimum area of understory preservation shall be ten (10) feet by twenty (20) feet. Where understory does not exist on a site under canopy trees, new understory plants from Appendix "E" may be installed to meet the above criteria.

Where credit for the preservation of existing understory is being requested, these areas must be protected as follows:

 - A. A protective barrier must be erected around the perimeter of each understory area to be preserved and maintained until construction is completed.
 - B. During construction, no excess soil, additional fill, equipment, liquids, or construction debris shall be placed inside the protective barrier nor shall any soil be removed from within the barrier.
 - C. The proposed finished grade and elevation of land within six (6) feet of an understory area to be preserved shall not be raised or lowered more than three (3) inches unless compensated for by welling or retaining methods.
- (7) **Infill or Commercial Retrofit Use Patterns.** Twenty-five (25) points shall be awarded for the provision of landscaping for an infill or commercial retrofit use pattern where not more than four thousand three hundred (4,300) square feet of impervious surface is added.

- (f) **Variances.** The director of planning and development services may consider and administratively approve variances in situations where the applicant does not strictly comply with the requirements of this section but is willing to provide a comparable alternative. The planning commission is designated in accordance with Section 118, Paragraph 3, of the City Charter to consider all other variance requests and to consider

appeals from the decisions of the director of planning and development services.

Appeals shall be in writing and must be submitted within thirty (30) days of the director of planning and development services' decision.

The commission may grant variances upon finding from the evidence presented that the following conditions exist:

- (1) Strict compliance with the requirements of this section will unreasonably burden the use of the property and/or will result in substantial financial hardship or inequity to the applicant;
- (2) The circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the owner; and
- (3) The intent and general purposes of this section are preserved.

The applicant shall provide all evidence necessary for the director of planning and development services and planning commission to make their determinations. A variance granted under the provisions of this section shall apply only to the specific building site and structures for which the variance was requested. A fee as specified in Appendix "C" shall be required for each variance request from the planning commission.

(Ord. No. 95573 § 7 and 17, Amendment G) (Ord. No. 97602 § 3 and 4) (Ord. No. 98697 § 4 and 6) (Ord. No. 100126 § 4) (Ord. No. 101816, § 2, 12-15-05) (Ord. No. 2006-11-30-1333, § 2, 11-30-06) (Ord. No. 2012-10-18-0829, § 2, 10-18-12)